

REMARKS

Upon entry of the present amendment, the specification and claim 1 will have been amended. In view of the herein contained amendments and remarks, Applicants respectfully request reconsideration and withdrawal of each of the outstanding rejections set forth in the above-mentioned Official Action, together with an indication of the allowability of all of the claims pending in the present application.

As an initial matter, Applicants note with appreciation the Examiner's acknowledgment of Applicants' claim for foreign priority under 35 U.S.C. § 119 and the filing of the certified copies of the priority documents. Applicants further note with appreciation the Examiner's consideration of the references contained in the Information Disclosure Statement filed March 3, 2004.

The Examiner has rejected claims 1-4 under 35 U.S.C. § 102(b) as being anticipated by European Patent Application No. EP 1065115 to Eguchi. Applicants respectfully traverse these rejections.

The present invention is directed towards an apparatus for preventing a vehicle from slipping on a slope. The apparatus is included in a brake hydraulic circuit that connects a master cylinder to wheel cylinders. The apparatus applies brake hydraulic pressure to the wheel cylinders even after a brake pedal is released. The apparatus includes a plurality of variable orifices that variably reduce the brake force of the wheel cylinders after the brake pedal is released.

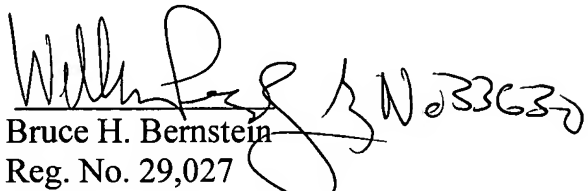
One aspect of the present invention set forth in claim 1 is that the delay in reducing the brake force of the wheel cylinders (the decompression delay) can be adjusted by changing the diameters of the variable orifices. The Applicants respectfully submit that the Eguchi reference does not disclose this feature.

Eguchi is directed towards a brake force control unit. Eguchi's brake force control unit includes a restriction D, which may be formed by the provision of a flow control valve. In the above-mentioned Office Action, the Examiner suggests that Eguchi's restriction D reads on the variable orifices of Applicants' invention. Eguchi discusses the restriction D in paragraphs 104-109 on page 13, but nowhere in the discussion does Eguchi expressly disclose that the diameter of the restriction may be changed to adjust the decompression delay. Furthermore, the Examiner additionally submits that such a feature is not an inherent characteristic of the restriction.

Because Eguchi fails to disclose that the delay in reducing the brake force of the wheel cylinders can be adjusted by changing the diameters of the variable orifices as recited by claim 1, the Examiner is respectfully requested to withdraw each of the rejections under 35 U.S.C. § 102. With regard to dependent claims 2-4, Applicants assert that these claims are allowable at least because they depend on independent claim 1, which Applicants submit has been shown to be allowable.

In view of the above remarks, reconsideration of the Examiner's action and allowance of the present application are respectfully requested and are believed to be appropriate. If there should be any questions, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,
Su-Byeong KIM et al.


Bruce H. Bernstein
Reg. No. 29,027

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GREENBLUM & BERNSTEIN, P.L.C.
1950 Roland Clarke Place
Reston, VA 20191
(703) 716-1191